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**Z-2272**  
**BW PARKS PROPERTY MANAGEMENT CORPORATION**  
**R2U TO NBU**

**STAFF REPORT**  
**December 15, 2005**

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**REQUEST MADE, PROPOSED USE, LOCATION:**

Petitioner, represented by attorney Joe Bumbleburg, is requesting rezoning of one lot located at the southwest corner of Main Street and 12<sup>th</sup> Street, 1123 Main Street, Lafayette, Fairfield 21 (SW) 23-4. Petitioner is proposing to locate its property management office in the existing apartment building on site.

**ZONING HISTORY AND AREA ZONING PATTERNS:**

The earliest Lafayette zoning maps show this entire blockface from 12<sup>th</sup> Street west to the old railroad right-of-way zoned GB. Land to the north and east was also zoned GB; the majority of the properties in the St. Mary's Neighborhood south of this site were zoned R3. That zoning pattern changed in January 1999 when City Council approved the St. Mary's Historic Neighborhood rezone. The GB-zoned blockface west of 12<sup>th</sup> Street, including the site in question became, like most of the neighborhood, zoned R2U. Several properties across 12<sup>th</sup> Street from this site took on NBU zoning at that time.

Currently, the zoning map shows GB zoning to the north across Main Street; for the properties within the St. Mary's Neighborhood the zoning pattern remains unchanged from the 1999 rezone. NBU zoning exists to the east across 12<sup>th</sup>, and R2U zoning is south and west of the site in question. A small area of NBU zoning straddles the old railroad right-of-way immediately to the southwest of this lot. Lafayette's CB, Central Business zoning, begins west of 11<sup>th</sup> Street.

**AREA LAND USE PATTERNS:**

According to the 2003 land use survey, the apartment building on site currently has five units. There is some historical evidence that a portion of the building attached to the rear of the main building was used commercially in the past.

Properties adjacent to the west also have multi-family residences; to the southwest is the Hahn Funeral Home, due south are two single-family houses and across Columbia Street is St. Mary's Cathedral. The blockface to the east has a small strip center used as office and retail space. To the north is a mix of high-density residential, warehousing, and commercial uses.

**TRAFFIC AND TRANSPORTATION:**

The *Thoroughfare Plan* classifies 12<sup>th</sup> Street as an urban local road; Main Street is, of course, a primary arterial.

The parking standard for an office is one space per 200 square feet of gross floor area; although in the NBU zone the amount of required parking is reduced to 60% of the UZO requirement for a commercial use. Parking for residential uses does not receive the NBU parking space reduction. From the street it appears the building almost completely covers the lot. It is not clear that the current parking standards can be met, let alone required parking for a proposed office.

## **ENVIRONMENTAL AND UTILITY CONSIDERATIONS:**

City sewer and water currently serve the lot.

## **STAFF COMMENTS:**

According to petitioner's representative, the corporation plans to open a small office on-site to manage its commercial and residential properties. Most likely this would require only a portion of the ground floor, and the remaining units in the building would continue to be rented residentially. (The NBU district is the only district that allows by right, residential uses above a commercial ground floor.) The now repealed zoning ordinance did not require a commercial rezone in situations like this, but allowed offices with a special exception from the ABZA in the R2 and R3 zones. That option however, is no longer available under the current UZO.

The St. Mary's Historic Neighborhood Association, with staff's help, created an *Amendment to the Adopted Comprehensive Plan* for properties within their neighborhood including the site in question. Lafayette City Council adopted this neighborhood plan amendment in October 1996; the neighborhood-wide rezoning request based on that plan was passed by City Council in January 1999. No change of zoning has occurred in the neighborhood since the 1999 rezoning.

Several goals and strategies listed in the *Amendment to the Adopted Comprehensive Plan* address potential rezoning of properties within the neighborhood including: "Keep houses from becoming solely used for businesses" and "...discourage business and professional offices from locating in the neighborhood." One of the key concerns for the neighborhood was the demolition of historic buildings and the construction of new structures in their place that do not mesh with the fabric of this historic area.

Two "components" of the Plan (one that specifically addresses this blockface) are as follows:

"Commercial activity, in the form of neighborhood retailing, is to remain much as it is except...the half block on the south side of Main between 11<sup>th</sup> and 12<sup>th</sup> Streets would evolve from commercial to moderate density residential."

"...the majority of the neighborhood, would evolve into a moderate density residential pattern. This would typically allow one and two-family dwellings, but no multi-family dwellings except those already existing, within this sector."

There are existing commercial properties, in the downtown and near downtown neighborhoods, already zoned GB or NBU and currently unused and available. There is no reason to rezone this apartment building that already has a use that matches the neighborhood's plan. Staff fears that an NBU rezone of this corner property would lead to additional commercial rezoning requests of the residential lots to the west, until the existing NBU zoning on the east side of 12<sup>th</sup> Street meets the CB zoning west of 11<sup>th</sup> creating a solid line of business zoning, in complete contradiction to the stated goals of the Plan Amendment for St. Mary's Historic Neighborhood.

**STAFF RECOMMENDATION:**

Denial



